

# **Planning and Zoning Commission Meeting**

## **Minutes of January 18, 2007**

### **Special Meeting (1st Floor; Public Works) – 4:00 PM**

**Call to Order:** Chairman Byers called the meeting to order at 4:07 PM.

#### **Attendance:**

Members Present:

Tom Byers, Chair

Steve Sizemore, Vice-Chair

Buzzy Cannady

Darryl Hart

Jerome Jones

Cindy Weeks

David Young

Member(s) Absent:

None

Chairman Byers stated the purpose of the meeting – to review staff presentation on the steep slopes and ridgetops ordinance and associated ordinances and to take public comment. He reviewed the public hearing procedures.

Scott Shuford provided a PowerPoint presentation on the steep slopes and ridgetops ordinance and reviewed the changes to the ordinance from the prior draft. He answered Commission questions concerning: how the tree removal fine structure was developed; the effect of the ordinance changes regarding height; public awareness of the potential effect of the ordinance; whether there was, in effect, a height bonus for pitched roofs; how phased developments would be affected; and the geotechnical engineering requirement. Vice-Chairman Sizemore noted a formatting error (duplicated subsection lettering).

Chairman Byers opened the public hearing at 5:10 PM.

<b>Name</b>	<b>Comment</b>	<b>Discussion</b>
Gerald Green	Liked adjustments to ordinance but wondered about effect on sites like the Pioneer Welding property.	Could the Pioneer Welding site be developed appropriately under its existing zoning? Is it an isolated case? What options are there for development in accord with the WECAN plan? Staff will research.
Mike Lewis	Provided various comments about Merrimon Avenue	Staff directed to examine the need for definitions suggested by Mr. Lewis and

	developments. Expressed concern about needing definitions for “slope,” “principal structure,” “gross floor area,” and “watershed.” Felt something was missing from subsection (d)(1).	additional definitions for “cut slope,” “fill slope,” “manufactured slope,” “ridgetop,” and “ridge.”
Barber Melton	Expressed a concern about proposed limits on geotechnical analysis. Noted the level at which Black Mountain is proposing such analysis (15%). Noted that the Peaks Creek landslide was on a 30% slope.	Commission directed staff to provide further information on geotechnical analysis and availability for such professional services.
Albert Sneed	Wanted existing lots entirely exempted from all requirements. Requested a map of affected areas. Were chimneys and similar features exempted from height requirements? What side of the watershed was the valley floor measured from? The requirement for a 50 foot setback for “downhill sides” of properties might not work well for those located above the access street. Requested a vegetation replacement allowance. Suggested establishing special standards for variances from the ordinance requirements.	Staff was directed to examine ideas about the 50 foot “downhill side” setback and chimney exemptions in accordance with Mr. Sneed’s concerns. Staff was directed to examine whether a vegetation replacement allowance is a good idea and how it might be structured. Staff was requested to determine the % of vacant steep slope and ridgetop property in development-sized lots (e.g., 2 acres or less). Staff volunteered to produce a “before” and after” analysis of hillside and steep slope ordinance requirements to better define the extent of the changes.
Grace Curry	(see note below) Addressed a section of the open space ordinance – could the open space for a large project be entirely active recreation? Is this a good idea?	Staff to look into Ms. Curry’s concerns and revise draft to address. A formatting error (duplicated subsection lettering) was noted.
<b>NOTE:</b> The public hearing was reopened at 5:58 PM for Ms. Curry’s comments; it was closed at 6:00 PM.		

The public hearing was closed at 5:38 PM.

Commission discussion included whether the existing measurement definition was a standard one, what valley floor is being used to define ridgetops, and whether the effect of the ordinance was a rezoning, among other issues. Mr. Oast explained that a general text amendment did not constitute a rezoning.

Mr. Hart suggested taking the Commission on a field trip to steep slope construction areas. After discussion, it was determined to include the field trip as part of the February retreat.

The Commission asked Mr. Shuford if he anticipated a surge of development requests timed to avoid the new ordinance. He replied that a scenario like what Buncombe County faced was unlikely. The Commission directed staff to advise City Council of the reasons for continuance. Mr. Sizemore moved to continue the ordinances to the February 7, 2007 meeting in absence of another specific date certain, with the understanding that the ordinances would be immediately continued from that meeting to another appropriate time certain. Ms. Weeks seconded the motion and it carried unanimously (7-0).

The meeting was adjourned at 6:02 PM.